

LA-200). The ANADA is approved as of February 10, 1995, and the regulations are amended in 21 CFR 522.1660(b) and (c)(2)(iii) to reflect the approval. The basis for approval is discussed in the freedom of information summary.

In accordance with the freedom of information provisions of part 20 (21 CFR part 20) and § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)), a summary of safety and effectiveness data and information submitted to support approval of this application may be seen in the Dockets Management Branch (HFA-305), Food and Drug Administration, rm. 1-23, 12420 Parklawn Dr., Rockville, MD 20857, between 9 a.m. and 4 p.m., Monday through Friday.

The agency has carefully considered the potential environmental effects of this action. FDA has concluded that the action will not have a significant impact on the human environment, and that an environmental impact statement is not required. The agency's finding of no significant impact and the evidence supporting that finding, contained in an environmental assessment, may be seen in the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday.

List of Subjects in 21 CFR Part 522

Animal drugs.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, 21 CFR part 522 is amended as follows:

PART 522—IMPLANTATION OR INJECTABLE DOSAGE FORM NEW ANIMAL DRUGS

1. The authority citation for 21 CFR part 522 continues to read as follows:

Authority: Sec. 512 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b).

2. Section 522.1660 is amended in paragraph (b) by removing the phrase "000010 and 000069" and adding in its place "000010, 000069, and 059130", and in paragraph (c)(2)(iii) by revising the last sentence to read as follows:

§ 522.1660 Oxytetracycline injection.

* * * * *

(c) * * *

(2) * * *

(iii) * * * Discontinue treatment at least 42 days prior to slaughter when provided by 000010 and 28 days prior to slaughter when provided by 000069 or 059130.

Dated: March 8, 1995.

Stephen F. Sundlof,

Director, Center for Veterinary Medicine.

[FR Doc. 95-6527 Filed 3-15-95; 8:45 am]

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DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Part 1915

[Docket No. S-050]

Confined and Enclosed Spaces and Other Dangerous Atmospheres in Shipyard Employment

AGENCY: Occupational Safety and Health Administration (OSHA), Department of Labor.

ACTION: Final rule; correction.

SUMMARY: In the July 25, 1994, **Federal Register** OSHA published a revised standard for Shipyard Employment, subpart B of 29 CFR part 1915, extending the previous requirements for work in explosive and other dangerous atmospheres on ships to cover all work involving confined or enclosed spaces or other dangerous atmospheres throughout shipyard employment (59 FR 37816). With the present document, OSHA is making corrections to the rule which include: clarifying the order of testing before employees may enter a confined or enclosed space or other dangerous atmosphere; clarifying when flammable atmospheres must be maintained above the upper explosive limit during installation of ventilation or rescue; and clarifying the limited locations and conditions where hot work may be performed without first being certified by a Marine Chemist. Several typographical errors are also being corrected.

EFFECTIVE DATE: The final rule published on July 25, 1994, became effective on October 24, 1994. These corrections are effective March 16, 1995.

FOR FURTHER INFORMATION CONTACT:

Richard Liblong, Director, Office of Information and Consumer Affairs, Occupational Safety and Health Administration, Room N3647, U.S. Department of Labor, 200 Constitution Ave., N.W., Washington, D.C. 20210 (202-219-8148).

SUPPLEMENTARY INFORMATION:

I. Correction to § 1915.12—Precautions Before Entering Confined and Enclosed Spaces and Other Dangerous Atmospheres

OSHA is correcting the section heading to § 1915.12 to make clearer the requirement that atmospheric testing must be done in the order set forth in the standard (i.e., oxygen content, then flammability, and then toxicity).

In the preamble to the final rule OSHA explained how the section was being reformatted to address the order of atmospheric testing to be conducted when determining hazards within confined and enclosed spaces and other dangerous atmospheres prior to entry (59 FR 37830). The Agency stated explicitly in the preamble to paragraphs (a), (b), and (c) of § 1915.12 that atmospheres must be tested for oxygen content first, flammability second, and toxicity third (59 FR 37831). However, the section heading did not include the sequence of testing, and the specific introductory statement requiring atmospheric testing to be conducted in the proper sequence was inadvertently omitted from the regulatory text. The insertion of the sequence of testing into the section heading and the addition of the introductory text to § 1915.12 brings the section into conformance with the rulemaking record, the preamble explanation, and OSHA's intent.

II. Correction to § 1915.12(b)—Flammable Atmospheres

In the previous standard covering entry into spaces containing flammable atmospheres, § 1915.12(d), employees were allowed to perform work of brief duration in atmospheres containing concentrations of flammable contaminants as long as the concentrations remained above the upper explosive limit (UEL) and the requirements of § 1915.152(a) and (b), *Respiratory protection*, were followed. That allowance was continued in the proposed revision to subpart B, § 1915.12(d), *Work of brief duration* (53 FR 48108). In the final standard, which permits such entry only to set up ventilation or for rescue, OSHA carried over the condition that the flammable contaminant(s) be maintained above the UEL (59 FR 37858). Unfortunately, the wording of this condition could be construed to require that levels of atmospheric contaminants in a space actually be increased to a level above the UEL prior to ventilation start-up or rescue so that they may be maintained above the UEL. OSHA did not intend the rule to require this. When the atmosphere is below the UEL (but above

the lower explosive limit) the addition of flammable contaminants to a space prior to rescue or ventilation set-up to exceed the UEL could increase both the atmospheric hazards to employees and the time needed for rescue. Only atmospheres that are already at or above the UEL are to be maintained at those levels. To prevent confusion regarding when an employer must maintain the level of contaminants above the UEL, OSHA is correcting § 1915.12(b)(3)(iii).

III. Correction to § 1915.14—Hot Work

In paragraph (a)(1)(iv) of § 1915.14, OSHA has provided an exception to the general rule that certain atmospheres in spaces must be tested and certified by a Marine Chemist before hot work may be done. The exception provides that some atmospheres where hot work is to be performed may, instead, be tested by a Competent Person. OSHA is correcting the exception to specify the spaces to which the exception applies and adding a note for further clarification.

It was OSHA's intent to extend the requirements of existing subpart B to all shipyard employment, making changes only where necessary to clarify the language and correct requirements that

were inappropriate. In bringing forward the requirements on hot work, however, OSHA incorrectly omitted the reference to the scope of the existing exception which included dry cargo, miscellaneous and passenger vessels. The exception did not apply to tank vessels because of the seriousness of the hazards associated with the flammability or combustibility of tanker vessel cargo. However, OSHA intended the dry cargo, miscellaneous and passenger vessels exception to apply to all landside spaces as well, because their configuration and the conditions found within these spaces are similar to those on the dry cargo, miscellaneous and passenger vessels. Therefore, OSHA is correcting the paragraph to make it clear that the exception does not apply to hot work performed on tank vessels. This is consistent with the previous standard and OSHA's intent.

OSHA has also added a note to make it clear that hot work which does not need to be certified by a Marine Chemist (i.e., work in spaces adjacent to spaces that contain liquids with a flash point above 150° F (65.6° C)) still needs to be inspected and tested by a competent person prior to beginning the hot work.

IV. Correction to § 1915.15(e)

In § 1915.15(e), OSHA requires testing to maintain a competent person's findings. In order to make it clear that a visual inspection is part of the testing, OSHA is correcting paragraph (e). This is consistent with the testing requirements throughout the standard, the rulemaking record, the preamble explanation, and OSHA's intent.

V. Typographical Corrections

Two provisions in subpart B of part 1915 contained minor typographical errors. They are § 1915.12 (d)(3)(ii) and (e)(1)(iii).

PART 1915—[CORRECTED]

1. The authority citation for part 1915 continues to read as follows:

Authority: Sec. 41, Longshore and Harbor Workers' Compensation Act (33 U.S.C. 941); secs. 4, 6, 8, Occupational Safety and Health Act of 1970 (29 U.S.C. 653, 655, 657); Sec. 4 of the Administrative Procedure Act (5 U.S.C. 553); Secretary of Labor's Order No. 12-71 (36 FR 8754), 8-76 (41 FR 25059), 9-83 (48 FR 35736), or 1-90 (55 FR 9033) as applicable; 29 CFR Part 1911.

2. The text of 29 CFR part 1915, beginning at § 1915.12, 59 FR 37858 is corrected as follows:

	Page, column	Correction
§ 1915.12		
Section heading	59 FR 37858, 1st ..	The section heading is corrected to read as follows: "Precautions and the order of testing before entering confined and enclosed spaces and other dangerous atmospheres."
Introductory text	59 FR 37858, 1st ..	Add the following new introductory text after the section heading: "The employer shall ensure that atmospheric testing is performed in the following sequence: oxygen content, flammability, toxicity."
Paragraph (b)(3)(iii)	59 FR 37858, 3rd ..	This paragraph is corrected to read as follows: "(iii) Atmospheres at or above the upper explosive limit are maintained; and"
Paragraph (d)(3)(ii)	59 FR 37859, 1st ..	The word "a" that appears at the end of the first line is corrected to read "an".
Note to paragraph (e)(1)(iii) ...	59 FR 37859, 2nd (sixth paragraph second line).	The word "preforms" that appears at the beginning of the second line is corrected to read "performs".
§ 1915.14		
Paragraph (a)(1)(iv)	59 FR 37860, 2nd ..	This paragraph is corrected to read as follows: "Exception: On dry cargo, miscellaneous and passenger vessels and in the landside operations within spaces which meet the standards for oxygen, flammability and toxicity in § 1915.12, but are adjacent to spaces containing flammable gases or liquids, as long as the gases or liquids have a flash point below 150° F (65.6° C) and the distance between such spaces and the work is 25 feet (7.5m) or greater." Note: For flammable liquids with flash points above 150° F (65.6° C), see paragraph (b) of this section.
§ 1915.15		
Paragraph (e)	59 FR 37861, 1st ..	Correct the paragraph to read as follows: "(e) Tests to maintain a competent person's findings. After a competent person has conducted a visual inspection and tests required in §§ 1915.12, 1915.13, and 1915.14 of this part and determined a space to be safe for an employee to enter, he or she shall continue to test and visually inspect spaces as often as necessary to ensure that the required atmospheric conditions within the tested space are maintained."

VI. Authority

This document was prepared under the direction of Joseph A. Dear, Assistant Secretary of Labor for the

Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

List of Subjects in 29 CFR Part 1915

Confined spaces, Emergency medical services, Hazardous substances, Marine

safety, Occupational Safety and Health, Signs and symbols, Vessels, Welding.

The actions in this document are taken pursuant to sections 4, 6, and 8 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 653, 655, 657), Secretary of Labor's Order No. 1-90 (55 FR 9033), and 29 CFR Part 1911.

Joseph A. Dear,

Assistant Secretary of Labor.

[FR Doc. 95-6526 Filed 3-15-95; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 110

[CGD07-93-035]

RIN 2115-AA98

Anchorage Ground; St. Johns River, Jacksonville, FL

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is changing the anchorage grounds for the St. Johns River, Jacksonville, FL to disestablish anchorage grounds with poor bottom holding capabilities and to disestablish the portions of anchorage grounds which currently extend into the federal channel. This change will also clearly define the anchorage grounds currently in use in the St. Johns River and will delete outdated information contained in the regulation.

EFFECTIVE DATE: April 17, 1995.

FOR FURTHER INFORMATION CONTACT: Lieutenant Commander William Daughdrill, Tel: (904) 232-2648.

SUPPLEMENTARY INFORMATION: On July 15, 1993 the Coast Guard published a notice of proposed rulemaking in the **Federal Register** for these regulations (58 FR 38102). Interested persons were requested to submit comments and no comments were received.

Drafting Information

The drafters of these regulations are Lieutenant A.J. Varamo, project officer for the Captain of the Port Jacksonville, Florida, and Lieutenant J. Losego, project attorney, Seventh Coast Guard District Legal Office.

Discussion of Comments

No comments were received for this regulation during the comment period. Captain of the Port Jacksonville is removing the word 'General' from 33 CFR Part 110.183(b) (2), (3), and (4). There is no regulatory definition for the word, and it is unnecessary.

This regulation is issued pursuant to 33 U.S.C. 471 as set out in the authority citation for all of Part 110.

Federalism

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that the proposed rulemaking does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environmental Assessment

The Coast Guard has considered the environmental impact of this action and has determined pursuant to Section 2.B.2.e.(34)(f) that this action is categorically excluded from further environmental documentation. A Categorical Exclusion Determination and Environmental Analysis Checklist are available in the docket for inspection or copying.

Regulatory Evaluation

This proposal is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has been exempted from review by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this proposal to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. The proposed anchorage grounds described in these regulations have been used for the past three years by the local pilots, vessel operators and other maritime interests. This change will assure that current practices are in accordance with the regulation.

Since the impact of this proposal is expected to be minimal, the Coast Guard certifies that, if adopted, it will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 110

Anchorage grounds.

Final Regulations

In consideration of the foregoing, Part 110 of Title 33, Code of Federal Regulations, is amended as follows:

1. The authority citation for Part 110 continues to read as follows:

Authority: 33 U.S.C. 471, 2030, 2035, and 2071; 49 CFR 1.46 and 33 CFR 1.05-1(g). Section 110.1a and each section listed in

110.1a are also issued under 33 U.S.C. 1223 and 1231.

2. Section 110.183 is revised to read as follows:

§ 110.183 St. Johns River, Florida.

(a) *The anchorage grounds*—(1) *Anchorage A.* (Upper Anchorage) The Anchorage is established within the following coordinates, the area enclosed by a line starting at the south shore westerly of the entrance to Miller Creek at

30°18'43.8" N, 081°38'15.0" W; thence to

30°18'52.8" N, 081°38'15.0" W; thence to

30°18'47.6" N, 081°37'47.6" W; thence to

30°18'55.0" N, 081°37'29.0" W; thence to

30°19'06.0" N, 081°37'27.0" W; thence to

30°19'06.0" N, 081°37'02.0" W; thence to

30°19'01.2" N, 081°37'02.0" W; thence returning to the point of beginning.

(2) *Anchorage B.* (Lower Anchorage) The Anchorage is established within the following coordinates, the area enclosed by a line starting at a point on the eastern shore of the river at 'Floral Bluff' at

30°21'00.0" N, 081°36'41.0" W; thence to

30°20'00.0" N, 081°37'03.0" W; thence to

30°21'00.0" N, 081°37'06.0" W; thence to

30°21'50.0" N, 081°36'56.0" W; thence to

30°21'54.0" N, 081°36'48.0" W; thence returning to the point of beginning.

(b) *The regulations.* (1) Except in cases of emergency or for temporary anchorage as authorized in the following subsections, vessels must have authorization from the Captain of the Port to anchor in the St. Johns River, as depicted on NOAA chart 11491, between the entrance buoy (STJ) and the Main Street Bridge (latitude 30°19'20" N, longitude 81°39'32" W).

(2) Anchoring within Anchorage A is restricted to vessels less than 250 feet in length.

(3) Anchoring within Anchorage B is restricted to vessels with a draft of 24 feet or less regardless of length.

(4) Anchorages A and B are temporary anchorages. Vessels meeting the applicable restrictions of subsection (b)(2) or (b)(3) of this section may anchor for up to 24 hours without a permit from the Captain of the Port. Vessels not meeting the applicable restrictions of subsection (b)(2) or (b)(3) must obtain authorization from the